

AMENDED APPLICATION

NO. 73553

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 05 2005

Returned to applicant for correction DEC 28 2005

Corrected application filed MAR 01 2006

Map filed MAR 01 2006

The applicant **Concordia Homes of Nevada, Inc.** hereby makes application for permission to change the **Point of Diversion, Place of Use, Manner of Use, of a Portion** of water heretofore appropriated under **Permit No. 19872, (Certificate No. 5976.) (See Corrected Certificate dated February 22, 1991)**

1. The source of water is **Underground source – Pahrump Valley Basin**
2. The amount of water to be changed **380.10 acre feet**
3. The water to be used for **Quasi-Municipal and Domestic Purposes**
4. The water heretofore permitted for **Irrigation & Domestic Purposes**
5. The water is to be diverted at the following point **NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T21S, R53E, MDB&M at a point from which the E $\frac{1}{4}$ corner of said Section 13 bears N 87° 25' 56" E, a distance of 1,360.10 feet.**
6. The existing permitted point of diversion is located within **37.11 ac. within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 35.19 ac. within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 26.35 ac. within Gov Lot 2, within Section 13, T.21 S., R-53E., MDB&M (98.65 acres to be removed from cultivation).**
7. Proposed place of use **within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and Gov Lot 2, all within Section 13, T.21S., R.53E., MDB&M.**
8. Existing place of use **37.11 ac. within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 35.19 ac. within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 26.35 ac. within Gov Lot 2, all within Section 13, T.21 S., R-53E., MDB&M (98.65 acres to be removed from cultivation).**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **April 1st to August 31st** of each year.
11. Description of proposed works **Well, pump, pressure tank and distribution pipelines**
12. Estimated cost of works **\$1 million**
13. Estimated time required to construct works **Well completed; Ref: Well Log No. 54665**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: Applicant intends to use this water for will-serve commitments from a public utility to support a subdivision development, the first unit consisting of. 97 single family residences, plus associated common uses (e.g. school). 8.44 acre-feet of water rights in this application will be deeded to the Nye County School District

By Stephen F. Turner, Agent
s/ Stephen F. Turner
2986 Mondavi Court
Las Vegas, NV 89117

Compared gkl/sc lt/ gkl

Protested 4-14-06 by Allison Urbon
Pro. Overruled 8/11/2006 See Ruling #5641

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 19872, Certificate 5976, is issued subject to the terms and conditions imposed in said Permit 19872, Certificate 5976, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

If any water under this permit is cancelled, withdrawn, or any groundwater is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(Continued on Page 3)

The issuance of this permit is for the consumptive use portion only, being 79.1 acre-feet of the 87.1 acre-feet portion of the base right. The remainder, 8.0 acre-feet, remains in the groundwater source. The issuance of this permit abrogates 87.1 acre-feet from Permit 19872, Certificate 5976.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.11 cubic feet per second, and not to exceed 79.1 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 13, 2007

Proof of completion of work shall be filed on or before:

October 13, 2007

Water must be placed to beneficial use on or before:

September 13, 2017

Proof of the application of water to beneficial use shall be filed on or before:

October 13, 2017

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of September, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____